

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

IN RE MASSEY ENERGY CO.
SECURITIES LITIGATION

CIVIL ACTION NO. 5:10-cv-00689

ORDER

The Court has reviewed the *Motion of the United States to Extend the Time for the United States to Respond to the Reply Memorandum of Law in Further Support of the Motion of Lead Plaintiff Commonwealth of Massachusetts Pension Reserves Investment Trust and Plaintiff David Wagner for Partial Lift fo the PSLRA Discovery Stay and in Opposition to the United States of America's Combined Motions to Intervene and to Stay Discovery* (Document 91) and the docket in this matter. In light of the resolution of the issue presented in the United States Combined Motions to Intervene and to Stay Discovery (*see* Memorandum Opinion and Order (Document 127)), the Court finds this motion is moot.

Therefore, the Court does hereby **ORDER** that the instant motion (Document 91) be **TERMINATED AS MOOT**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and to any unrepresented party.

ENTER: March 8, 2012


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA